



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.

Governor

Thomas W. Easterly

Commissioner

100 North Senate Avenue

Indianapolis, Indiana 46204

(317) 232-8603

Toll Free (800) 451-6027

www.idem.IN.gov

September 15, 2010

Mr. Chris Braun
Kiel Brothers Oil Company
c/o Plews, Shadley, Racher & Braun
1346 Delaware Street
Indianapolis, Indiana 46202

Dear Mr. Braun

Re: NPDES General Permit No. ING080285
Former Kiel Brothers Bulk Plant
IDEM Incident No. 199701034
Facility ID No. N/A
285 Terre Haute Avenue
Franklin, Indiana
Johnson County

Our office has received your Notice of Intent (NOI) submittal in regards to the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements in 327 IAC 15-10, Wastewater Discharge Associated with Groundwater Petroleum Remediation Systems. The general permit rule requirements are contained in 327 IAC 15-1 through 15-4 and 15-10. These rules are enclosed for your review. Please review them carefully to ensure your facility is in compliance with all applicable regulations.

At this time, a NPDES general permit identification number is being assigned to each facility that has submitted a NOI letter to comply with 327 IAC 15-10. Due to the fact that 327 IAC 15-10 is a permit by rule, you will NOT be receiving an actual permit. The general permit number will be used as an identification number and should be included on all correspondence submitted to IDEM in relation to this NPDES general permit.

The NPDES general permit number which has been assigned to this facility is:

ING080285.

General permit rule 327 IAC 15-10 requires periodic reporting of several effluent parameters. Reporting is to be done using the enclosed state discharge monitoring report form. We have included enough forms to establish a supply several months of reporting. You should duplicate this form as needed for further reporting. This form is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>

Additionally, you will soon be receiving a supply of the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317/232-8670.

Coverage for the facility under 327 IAC 15-10, which will include all outfalls listed on Attachment 1 to this correspondence, shall become effective on **October 1, 2010**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under this general permit rule expires on **September 30, 2015**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by this acceptance for coverage under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this acceptance for coverage with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

Please note that in accordance with 327 IAC 15-10-5(c), IDEM shall public notice its decision to accept your facility for coverage under the general permit rule.

If you have any questions regarding this letter, please contact Ms Sheri L. Jordan of our staff at 317/232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/
Enclosures

cc: Johnson County Health Department

Former Kiel Brothers Bulk Plant

IDEM Incident No. 199701034

Facility ID No. N/A

EFFECTIVE DATE: **October 1, 2010**[illegible]

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 - 9D -GP

DATE OF NOTICE: September 15, 2010

The Office of Water Quality issues the following NPDES GENERAL PERMIT.

NEW

FORMER KIEL BROTHERS BULK PLANT, Permit No. ING080285, JOHNSON COUNTY, Franklin, IN. This is a Groundwater Petroleum Remediation System that will discharge to a Storm Sewer to Roaring Run. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-10, Wastewater Discharge Associated with Groundwater Petroleum Remediation System. Permit Writer: Sheri Jordan at 317/232-8703

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC - North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



American
Environmental

July 7, 2010

Indiana Department of Environmental Management
Office of Water Management
Permits Section
100 North Senate Avenue
P. O. Box 6015
Indianapolis, IN 46206-6015

Re: NPDES Permit Application
NOI – Groundwater Petroleum Remediation System
Former Kiel Bros. Bulk Plant
285 Terre Haute Avenue
Franklin, Indiana
IDEM Incident Number: 199701034

This NOI letter is being submitted to comply with 327 IAC 15-10, for Wastewater Discharge Associated with Groundwater Petroleum Remediation Systems. The Former Kiel Bros. Bulk Plant complies with the applicability requirement of the general permit rule because it is a former petroleum distribution plant for dispensing gasoline and other petroleum distillates, and the facility's remediation system is designed to treat gasoline-contaminated groundwater.

The following is a list of relevant information about the facility for which this notification is submitted:

Facility Name: Former Kiel Bros. Bulk Plant

Mailing address: Kiel Brothers Oil Company
c/o Plews, Shadley, Racher & Braun
1346 North Delaware Street
Indianapolis, Indiana 46202

Location of facility: 285 Terre Haute Avenue
Franklin, IN
(See Attachment A for the Site Location Map)

SIC Code: 5171 – "Petroleum Bulk Stations and Terminals"

Latitude/Longitude: W 86° 03' 03" N 39° 29' 16"

Kiel Brothers Oil Company will be conducting the remedial operations at the facility. Mr. Chris Braun, Attorney in Fact, is the corporate officer with signatory responsibilities. Mr. Edward Stehno III, Project Engineer for American Environmental, is the project manager.

Corporate Office

8500 Georgetown Road
Indianapolis, IN 46268
Phone: (317) 871-4090
Fax: (317) 871-4094

Regional Office

3700 W Grand Ave. Ste. A
Springfield, IL 62711
217-585-9517
217-585-9518 Fax

Regional Office

410 Production Court
Louisville, KY 40299
502-491-0144
502-491-9271 Fax

Regional Office

4305 Muhlhauser Road, Suite 3
Cincinnati, OH 45014
513-874-7740
513-874-7756 Fax

The company address is as follows:

Kiel Brothers Oil Company
c/o Plews, Shadley, Racher, & Braun
1346 North Delaware Street
Indianapolis, Indiana 46202
Attn: Mr. Chris Braun

Environmental consultant address is as follows:

American Environmental
8500 Georgetown Road
Indianapolis, Indiana 46268

Receiving Water: The treated groundwater will be diverted via discharge pipe and storm sewer into Roaring Run east of the site.

Location of Point Source Discharge: See Attachment B

The type of wastewater discharged through each outfall:

Outfall #001: Treated hydrocarbon impacted groundwater from remediation system

Proof of Publication: See Attachment C

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Stehno', with a stylized flourish at the end.

Edward J. Stehno III, E.I.T.
Project Engineer

Attachments

JORDAN, SHERI

From: Jurczak, Kim [kjurczak@aecindy.com]
Sent: Thursday, August 12, 2010 9:54 AM
To: JORDAN, SHERI
Cc: Stehno, Ed
Subject: RE: NPDES permits for Former Kiel Bros. Bulk Plant (INF080285) and Bulk Petroleum #2712 (ING080286)
Attachments: Franklin Bulk Plant_NPDESSignatures.pdf; Bulk Petroleum #2712_NPDESSignatures.pdf

Sheri,
While Ed Stehno was on vacation, I coordinated the efforts to obtaining the missing information for these NPDES permit applications.

For the Former Kiel Bros. Bulk Plant (INF080285), located on Terre Haute Avenue in Franklin, Indiana, the IDEM incident number is 199701034. There is no facility ID number for this facility because the site did not have any underground storage tanks (USTs), thus no LUST number was assigned. The IDEM incident number was provided in the permit application under the RE: NPDES Permit Application title. In response to your comment #1, the outfall coordinates are as follows: latitude = 39° 29' 17" N; longitude = 86° 03' 04" W.

For the Bulk Petroleum #2712 (ING080286), located on East State Road 7 in Columbus, Indiana, the LUST project ID number is 200604507 and the facility ID number is 19451. These numbers were provided in the permit application under the RE: NPDES Permit Application title. In response to your comment #1, the outfall coordinates are as follows: latitude = 39° 09' 56" N; longitude = 85° 50' 29" W.

In response to your comment #2, Mr. Chris Braun has assigned signatory responsibilities for Mr. Stehno and for Mr. Jordan in regards to the NPDES permit application and the Potentially Affected Persons forms for both sites. Attached are the signatory responsibility letters for the Former Kiel Bros. Bulk Plant (Franklin, IN) and for the Bulk Petroleum #2712 (Columbus, IN). Hard copies of the signatory responsibility letters will be delivered to the IDEM later this week.

In response to your comment #3, Mr. Matt Jordan is a Senior Project Geologist for American Environmental Corporation. His telephone number is (317) 871-4090 ext. 227 and his email address is mjordan@aecindy.com. This information also applies to both sites.

For both sites, there are several other persons that have signatory responsibilities. Their names, titles, telephone numbers and email addresses are listed below.

Kimberly Jurczak; Project Engineer; (317) 871-4090 ext. 247; kjurczak@aecindy.com

Nicholas Welte; Project Engineer/Certified Operator #17222; (317) 871-4090 ext. 212; nwelte@aecindy.com

Jacob Smith; President; (317) 871-4090 ext. 203; smith@aecindy.com

Should you have any questions, please don't hesitate to contact us.

Thank you,

Kimberly A. Jurczak, P.E.

Project Engineer

American Environmental Corporation

Office: (317) 871-4090 x247

Cell: (317) 339-1426

kjurczak@aecindy.com

From: Stehno, Ed
Sent: Tuesday, July 27, 2010 3:47 PM
To: Jurczak, Kim
Subject: FW: NPDES permits for Former Kiel Bros. Bulk Plant (INF080285) and Bulk Petroleum #2712 (ING080286)

From: JORDAN, SHERI [mailto:SJORDAN@idem.IN.gov]
Sent: Tuesday, July 27, 2010 3:07 PM
To: JORDAN, SHERI; Stehno, Ed; cbraun@psrb.com
Subject: RE: NPDES permits for Former Kiel Bros. Bulk Plant (INF080285) and Bulk Petroleum #2712 (ING080286)

I almost forgot, I also need the LUST Project ID number and Facility ID number from Land for each of these projects.

Sheri L. Jordan

General NPDES Permits Coordinator
IDEM Office of Water Quality
100 N. Senate Avenue
Indianapolis, IN 46204-2251

tel: 317/232-8703
fax: 317/232-8637

From: JORDAN, SHERI
Sent: Tuesday, July 27, 2010 3:02 PM
To: 'estehno@aecindy.com'; 'cbraun@psrb.com'
Cc: JORDAN, SHERI
Subject: NPDES permits for Former Kiel Bros. Bulk Plant (INF080285) and Bulk Petroleum #2712 (ING080286)

Gentlemen,

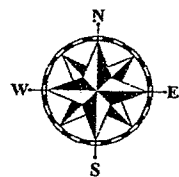
I have completed a review of both of these submittals, and both have the same items that need to be corrected. They are as follows:

1. Please provide the latitude and longitude for the outfalls for both permits;
2. The letters attached to both submittals state that Mr. Chris Braun is the corporate officer with signatory responsibilities. As such he must either sign and date the NOI application and the Potentially Affected Parties form, or he must submit a letter to our agency granting this responsibility to someone else. However both applications have been signed by Mr. Ed Stehno, and both Potentially Affected Parties forms have been signed by Mr. Matt Jordan. Please submit new signature pages for the NOI and the Potentially Affected Parties form for both applications, or otherwise submit a letter from Mr. Chris Braun assigning signatory responsibilities for Mr. Stehno and Mr. Jordan.
3. If Mr. Jordan will be assigned signatory duties please provide his title and also a telephone number and email address where we can contact him if we need to.

I am attaching a new NOI form and Potentially Affected Parties form to this email, just in case you need them. If you can get this information back to me by the middle of next week I should be able to get the approval letters in for the August mailing, which would give you a September 1st effective date.

Feel free to call me if you have any questions.

Thanks,



8500 Georgetown Road
Indianapolis, Indiana 46268
317 871-4090

Figure:
1

